



UNITED STATES PATENT AND TRADEMARK OFFICE

Atty: RBH/JRK  
Action: RESPONSE  
Due Date: 12/18/00

Page 1 of 2  
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/652,927

08/31/2000

Theodore W. Meyers

RECEIVED  
OCT 26 2000

Richard B Hoffman  
Tilton Fallon Lungmus & Chestnut  
100 South Wacker Drive Ste 900  
Chicago, IL 60606-4002

TILTON, FALLON, LUNGUMUS,  
CHESTNUT

FORMALITIES LETTER



\*OC000000005484688\*

Date Mailed: 10/18/2000

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 6 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid

delays in the prosecution of the application.

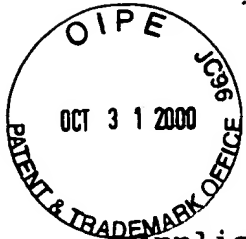
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*A copy of this notice MUST be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



11/01/00

DACT<sup>3</sup>  
8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Meyers )  
Application No.: 09/652,927 )  
Filed: August 31, 2000 )  
For: TEE BAFFLE FOR USE AT INLET )  
OR OUTLET OF SEPTIC AND )  
OTHER ON-SITE WASTE DISPOSAL )  
SYSTEMS )

"Express Mail" mailing label number EL334/832B3  
Date of Deposit 10-31-00  
I hereby certify that this paper or fee is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service  
under 37 CFR 1.10 on the date indicated above  
and is addressed to the Commissioner of Patents  
and Trademarks, Washington, D.C. 20231  
Jeremy R. Krieger Reg. No. 39,257  
(Typed or printed name of person mailing paper or fee)  
Jeremy R. Krieger  
(Signature of person mailing paper or fee)

PRELIMINARY AMENDMENT OR, IN THE ALTERNATIVE,  
PETITION UNDER 37 C.F.R. 1.182 IN  
RESPONSE TO NOTICE OF OMITTED ITEM(S)  
IN A NONPROVISIONAL APPLICATION

Hon. Commissioner of  
Patents & Trademarks  
Washington, D.C. 20231

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NOV 06 2000

OFFICE OF PETITIONS

Dear Sir:

In response to the Notice of Omitted Item(s) in a  
Nonprovisional Application mailed on October 18, 2000, the  
Applicant respectfully submits a copy of Figure 6, which was  
inadvertently omitted from the original application as-filed.  
Because the tee baffle of the present invention is already shown  
in the environment of a septic tank in Fig. 1, and because Fig. 7  
already shows the engagement of a single-pass effluent filter  
with the locking rims of the tee baffle, and further, because all  
claimed components of the invention that are shown in Fig. 6 are  
also adequately described in the text and shown in other drawing  
figures of the Specification as originally filed to provide an  
enabling disclosure and convey to one of ordinary skill in the  
art how to make and practice the claimed invention, it is  
respectfully submitted that Figure 6 does not add any new matter

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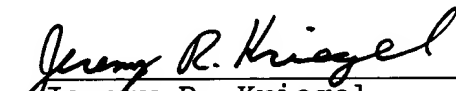
to the application. Thus, it is requested that the application still be accorded the original filing date of August 31, 2000, and that the present Response be considered a preliminary amendment to include the previously inadvertently-omitted Figure 6 to the application.

However, in the event Figure 6 is considered by the Patent Office to add new matter to the application requiring that the case only receive a filing date as of the date of filing of this Response, the Applicant submits herewith a supplemental Declaration and fee for \$130.00, and requests that this response be considered a Petition under 37 C.F.R. 1.182 to grant a filing date as of the date of filing of the accompanying Figure 6.

There should be a total of six (6) drawing sheets in the application. The Applicant will submit formal drawings at a later date, and will correct the numbering of the drawing sheets at that time. In the event any additional fees are necessary (or, if any extra has been paid) in order to consider this submission, kindly charge (or credit) the cost thereof to our Deposit Account No. 20-1111.

Respectfully submitted,

Date: October 31, 2000

  
Jeremy R. Kriegel  
Reg. No. 39,257

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FIG. 6

